



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D.M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF
PLANNING AND DEVELOPMENT**

Application Number: 2206195
Applicant: Anders Raman, Architect
Address: 8318 Rainier Avenue South

SUMMARY OF PROPOSED ACTION

Master use permit to establish use for the construction of four three-story, 6 unit apartment building with parking for 20 vehicles provided in an existing surface parking lot on site. The existing mixed-use building will remain.

The following Master Use Permit components are required:

Design Review – Seattle Municipal code (SMC) Section 23.41 with Development Standard Departures:

1. Departure from structure depth standards of (SMC 23.45.011.A) – To allow a increase from the maximum depth of 65% lot depth to 76%.

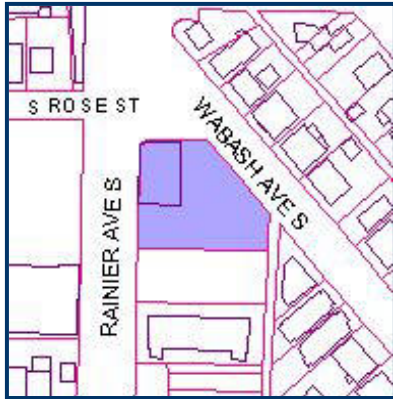
SEPA Environmental Review – Seattle Municipal Code (SMC) Section 25.05

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

PROJECT AND VICINITY DESCRIPTION



The project site is located at the intersection of three streets, Rainier Avenue South, South Rose St., and Wabash Avenue South in South East Seattle. The site is zoned Lowrise 3/Residential Commercial (L3/RC). Currently the site is developed with a 6 unit mixed use building that fronts on Rainier Avenue South. The area surrounding the project site is developed with residential building to the east along Wabash Avenue South and Mixed-Use buildings along Rainier Avenue South in both directions. The zoning and development become residential as you move away from the project site in all directions.

The site contains approximately 22,370 square feet of land and has roughly 130 feet of street frontage along Rainier Avenue South, 80.56 feet of street frontage along South Rose St., 133 feet along Wabash Ave South and 68 feet along an improved alley.

Proposal

The applicant proposes to construct a three story residential building containing 6 apartment units. The new structure would be located along the rear of the property abutting Wabash Avenue South and the alley. 20 parking spaces for both buildings are proposed in the interior of the property and along the south façade of the existing Rose building. These spaces would be accessed from a vehicular driveway located along Wabash Avenue South.

Public comment

The SEPA comment period for this proposal ended on June 25, 2003. During this period, no comment letters from the public were received.

One member of the public attended the early design guidance (EDG) meeting held on February 25, 2003. Her comments were focused on the overall impact the additional structure on this site would have on the block and surrounding neighborhood. She urged the Board to consider the following items when identifying the design guidelines of high priority for this project.

- The location of the proposed structure is near both an alley and a street. The building should be designed to have its main entrance facing Wabash Avenue South.
- Currently the site lacks a clear visual entrance and any natural beauty. The new structure should contain lots of landscaping.
- The small size building is a good idea.
- Two 6 unit buildings should have only as much parking as the code does, and no more. If possible they should reduce the number of parking spaces onsite.

No members of the public attended the recommendation meeting which was held on November 5, 2003.

ANALYSIS – DESIGN REVIEW

Design Guidance

The EDG meeting was held on February 25, 2003. After visiting the site, considering the site analysis provided by the applicants, and hearing public comment, the Design Review Board members provided the applicant siting and design guidance and identified by letter and number those siting and design guidelines found in the City of Seattle's Design Review: Guidelines for Multifamily and Commercial Buildings" of highest priority for this project.

The Design Review Board reviewed the final project design on November 5, 2003. The applicants presented the Board with a number of elevation renderings, landscape, floor plans and a request one design departure. The Boards comments on how the proposal responded to the EDG are presented bellow. In addition the Boards recommendations made during the November 5, 2003 meeting are provided bellow in *italics*.

A. Site Planning

A-2 Streetscape Compatibility

The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right of way.

The Board felt this was very important for the proposal due to the number of streets surrounding the project site. They felt that having parking accessed from both the alley and Wabash Avenue was not a good scheme because it breaks up the open space and landscaping and creates a site with four driveways.

The Board felt the single point of vehicular access to the site from Wabash Avenue was a solution that provide better traffic flow and allowed for quality areas of open space.

A-3 Entrances Visible from the Street

Entries should be clearly identifiable and visible from the street.

The design should provide prominent residential entrance that is sheltering, inviting, well illuminated and oriented towards Wabash Avenue South.

The Board felt the intent of this design guideline was achieved by altering shape and location of the new structure. In addition the diamond shaped window and change in exterior finish materials above the entrance create a welcoming and clearly identifiable residential entrance from Wabash Avenue.

A-4 Human Activity

New development should be sited and designed to encourage human activity on the street.

Since the project site faces a residentially zoned and developed block the pedestrian entrance should be well defined with a residential design theme.

The Board felt the use of wood and stucco created a residential design theme that reflected the existing development. The proposed landscaping and pedestrian entrance to the building effectively relates to the existing streetscape.

A-7 Residential Open Space

Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

Residential areas of open space should be usable in size and shape.

The board noted that the previous guidance is still applicable to the project and did not offer any additional recommendations.

A-8 Parking and Vehicle Access

Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

The size and location of both existing a proposed vehicle entrances to the site should not restrict pedestrian movement. The Board indicated that they were dissatisfied with the proposed driveway along Wabash Avenue South and encouraged the applicant to restudy this aspect of the proposal.

The Board agreed that reducing the number of vehicular driveways dramatically improved the quality of open space and clearly defined each building on the site with its own space. The proposed vehicular driveway abuts the western façade of the building creating a potential safety hazard and compromising the areas of open space which are adjacent to it. The Board recommended creating a divider to visually separate the driveways from both the building and areas of open space.

A-10 Corner Lots

Buildings on corner lots should be oriented to the corner and public street fronts.

Parking and automobile access should be located away from corners.

The Board feels that the current proposal is not oriented to the corner. They suggested using landscaping to treat the corner as an amenity while reinforcing the residential feel of the proposed structure.

The Board noted that the new orientation of the structure successfully embraces the intersection of Wabash Avenue and South Rose Street and did not offer any additional recommendation.

C. Architectural Elements and Materials

C-1 Architectural Context

New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

The proposed design should consider using a residential theme for the structure design and avoid creating a boxy shape.

The Board felt the octagonal shape and gabled roof combined with the use of exterior material found in the surrounding neighborhood created a well defined character for the proposed structure. No additional recommendation was provided.

C-2 Architectural Concept and Consistency

Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its façade walls.

The chosen design should have a recognizable form and character.

The Board felt the use of architectural features commonly found in residential development like; bay windows, sloping roofs, horizontal siding and wood exterior decks and detail create an identifiable character. The Board offered no supplementary recommendation.

C-4 Exterior Finish Materials

Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

The architectural details, materials and colors used for the exterior finish should be chosen for their longevity and durability and should distinguish its self from the existing development on site.

The board believes the exterior colors chosen for the new building; (salmon, light salmon and mahogany) are a good fit for the site and surroundings. The choice to use cement board and stucco fascia board siding are appropriate and durable materials. The board recommended using smaller fascia board siding on the third level of the structure.

D. Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances

Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

The Board and the public felt that locating the pedestrian entrance along Wabash Avenue South would aid the proposal and helps create a more distinctive residential feel.

The Board noted that the previous guidance is still applicable to the project and did not offer any additional recommendation.

D-3 Retaining Walls

Retaining wall near a public sidewalk that extends higher than eye level should be avoided where possible. Where high retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscape.

The board felt that the architect should explain clearly how the existing retaining wall along the alley will impact the design of the proposed structure.

The Board noted that the previous guidance is still applicable to the project and did not offer any additional recommendation.

D-4 Design of Parking Lots Near Sidewalks

Parking lots near sidewalks should provide adequate security and lighting, avoid encroachments of vehicles onto the sidewalk, and minimize the visual clutter of parking lots signs and equipment.

The proposed design should try to eliminate parking that abuts Wabash Ave S as a means to enhance the pedestrian environment.

The Board noted that the previous guidance is still applicable to the project and did not offer any additional recommendation.

D-6 Screening of Dumpsters, Utilities and Service Areas

Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters can no be located away from the street font, they would be situated and screened from view and should not be located in the pedestrian right-of-way.

The proposed design did not address the proposed location of dumpsters. The Board felt it was important to consider their placement and effective visual and acoustic screening when designing the proposed structure.

The Board noted that the previous guidance is still applicable to the project and did not offer any additional recommendation.

E. Landscaping

E- 1 Landscaping to Reinforce Design continuity with Adjacent Sites

Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

The proposed landscaping should carry around the corner from S. Rose St to Wabash Ave South and work with the existing landscaping elements. The onsite landscaping should take cues from the bus stop to the north of the project site.

The Board noted that the previous guidance is still applicable to the project and did not offer any additional recommendation.

E-2 Landscaping to Enhance the Building and/or Site

Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

Landscaping should be carefully considered in the design concept for the structure.

The Board noted that the previous guidance is still applicable to the project and did not offer any additional recommendation.

E-3 Landscape Design to Address Special Site Conditions

The landscape design should take advantage of special on-site conditions such as high-blank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as green belts, ravines, natural areas and boulevards.

The Board felt that the landscape design for this project should take into account the current development on site and strive to create a unified landscape appearance for the entire property.

The Board suggested enhancing the landscaping along the eastern edge of the vehicular driveway to clearly define the open space and protect the building.

Design Review Departure Analysis

The applicants requested one departure from the development standards set forth in the Land Use Code. The departure is as follows:

Development Standard	Proposed	Applicant Justification	Board Recommendation
Maximum allowed structure depth is 65% of the lot depth	76% of the lot depth	The angled building creates a residential streetscape	Approve

The Board voted unanimously in favor of the departure.

Board's Recommendation

The siting, architectural details and design elements presented in the November 5, 2003 recommendation meeting are expected to remain unaltered. After careful consideration of public comment, review of Early Design Guidance priorities and reviewing the plans presented the

Design Review Board members recommended APPROVAL of the project design and the requested departure with the following conditions:

1. Provide a divider to visually and physically separate the vehicular driveway from both the building and abutting areas of open space shall be created. **Guideline A-8**
2. Smaller fascia board siding shall be used on the third level of the proposed structure. **Guideline C-4**
3. Landscaping should carry around the corner from S. Rose St. to Wabash Ave South and should be used to enhance the eastern edge of the vehicular driveway to clearly define the open space. **Guideline E-1 and E - 3**

DIRECTOR'S ANALYSIS & DECISION: DESIGN REVIEW

The Director accepts the recommendations of the three Board members present on November 5, 2003. A review of the recommendations of the Design Review Board members present at the recommendation meeting and found their guidance to be consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The director therefore approves the proposed design with the following conditions:

ANALYSIS SEPA

Environmental review resulting in a threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11 and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated January 1, 2003. The information in the checklist and the experience of DPD with review of similar projects forms the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part: "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation," subject to some limitations. Under such limitations/circumstances (SMC 225.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short - Term Construction Related Impacts

The following temporary or construction related impacts are expected: decreased air quality due to suspended particulate from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during

construction activities; increased traffic and demand for parking from construction equipment and personnel; and increased noise.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The ECA ordinance regulates development and construction techniques in designated ECA areas with identified geologic hazards. The Street Use Ordinance requires debris to be removed from the street right of way, and regulates obstruction of pedestrian right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures and life safety issues. Finally the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city. Compliance with these applicable codes and ordinance will reduce or eliminate most short-term impacts to the environment and no further conditioning pursuant to SEPA policies is warranted. However due to the immediacy of residential uses additional analysis of potential noise impacts is necessary.

Noise

Due to the close proximity of residential uses, the limitations of the Noise Ordinance are likely to be inadequate to mitigate potential noise impacts. Pursuant to SEPA policies in SMC section 25.05.675 B, the hours of all work that does not occur within an entirely enclosed structure (e.g. excavation, foundation installation, framing and roofing activity) should be limited to between 7:30 A.M. and 6:00 P.M. to mitigate noise impacts on weekdays which are not city holidays. Limited work on weekdays between 6:00 P.M. and 8:00 P.M. and on Saturdays between 9:00 A.M. and 6:00 P.M. may be allowed if prior approval is secured from the undersigned Land Use Planner (or successor). Such after-hours work is limited to emergency construction necessitated by safety or street use (traffic) concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting). Such limited after-hours work may be strictly conditioned. The owner(s) and/or responsible party shall provide at least three (3) days prior notice when requesting extended work hours to allow DCLU to evaluate the request.

Long-Term Impacts

Long-term or use-related impacts are also anticipated as a result of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; loss of plant life; and increased light and glare. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the ECA Ordinance, the Stormwater, Grading and Drainage Control Code which requires provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding. The City Energy Code will require insulation for outside walls and energy efficient windows. Compliance with all other applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impact and no further conditioning is warranted by SEPA policies. Due to the type size and location of the proposed project additional analysis of height bulk and scale is warranted.

Height Bulk & Scale

The applicants are proposing one three story apartment buildings along Wabash Avenue. Current development onsite consists of an existing two story mixed use building. Development surrounding the project site is a mixture of residential and small commercial business. The proposed structures will have gabled roofs, wood construction and fenestration reminiscent of residential architecture

The SEPA Height Bulk & Scale Policy of section 23.05.675G state the following *“The height bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies set forth in Section C of the Land Use element of Seattle Comprehensive Plan regarding the system of Land Use Regulations for the area in which they area located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.”*

In addition, the SEPA Height, Bulk and Scale Policy states that *“(a) project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated.”* The Board was aware of the height bulk and scale relationship in their review and recommendations, noting the presence of features which are used to lessen the appearance of bulk and scale. Since the discussion in the previous paragraph indicates that there are no significant height, bulk and scale impacts as contemplated within this SEPA policy, and since the Design Review Board recommended approval of the proposed design with conditions, no additional mitigation of height, bulk and scale impacts is warranted pursuant to this SEPA policy.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS – DESIGN REVIEW

Non-appealable Conditions:

Prior to issuing the Master Use Permit

1. Revise the Plans to include all of the Design Review and SEPA conditions on a sheet in the plan sets preferably on an updated Cover Sheet.
2. Any proposed changes to the exterior of the building or the site or must be submitted to DCLU for review and approval by the Land Use Planner (Glenda Warmoth, 684-0966). Any proposed changes to the improvements in the public right-of-way must be submitted to DCLU and SDOT for review and for final approval by SDOT.
3. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Glenda Warmoth, 684-0966), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
4. Embed all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings

Prior to issuing the Construction Permit

5. Three days prior to the pre-construction conference, contact the Land Use Planner to confirm attendance.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Glenda Warmoth (206-684-0966) or the Senior Land Use Planner for the project at the specified development stage, as required by the Director's decision. The applicant/responsible party for arranging an appointment with the Land Use Planner at least three (3) working days prior to the required inspection. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure compliance has been achieved. **Prior to any alteration of the approved plan set on file at DPD, the specific revisions shall be subject to review and approval by the Land Use Planner.**

CONDITIONS - SEPA

Appealable Conditions:

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction

personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placard prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on –site for the duration of the construction.

6. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:30 am and 6:00 pm and between the hours of the 9:00 am and 6:00 pm on Saturdays (except that grading, delivery and pouring of cement, and similar noisy activities shall be prohibited on Saturdays). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping after approval form DPD).

Signature: (signature on file) Date: December 25, 2003
Glenda Warmoth, Land Use Planner
Department of Planning and Development
Land Use Services

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